

REMARKS

The above-identified patent application has been amended and Applicants respectfully request the Examiner to reconsider and again examine the claims as amended.

Claims 2, 3, 6-9, and 12 – 33 are pending in the application; claims 1 and 4 having been cancelled by this amendment; claims 5, 10, 11 and 22-24 having been cancelled by a previous amendment and claims 25-33 newly added by this amendment. No claims have yet been allowed but in presently outstanding Office Action the Examiner indicated that claims 2, 3, 12-14 and 15-21 all contain allowable subject matter. Claims 1-4, 6-9 and 12-21 are rejected. Claims 2 and 13 are amended herein.

The Examiner rejected claims 1, 4, 6 and 9 under 35 U.S.C. §103(a) as being obvious in view of U.S. Pat. No. 6,771,226 ("Dujmovic").

Applicants have cancelled claims 1 and 4 thus the rejection of these claims is now moot and will not be discussed.

Applicants have amended claims 6 and 9 to depend from claim 2 which the Examiner has indicated contains allowable subject matter. Thus, applicants submit that claims 6 and 9 are now allowable since they depend from a claim containing allowable subject matter.

The Examiner rejected claims 7 and 8 under 35 U.S.C. §103(a) as being obvious in view of U.S. Pat. No. 6,771,226 ("Dujmovic") in view of U.S. Pat. No. 5,557,291 ("Chu").

Applicants have amended claims 7 and 8 to depend either directly or indirectly from allowable claim 2 (which as mentioned above, the Examiner has indicated contains allowable subject matter). Thus, Applicants submit that claims 7 and 8 are also now also in condition for allowance.

In the Office Action dated March 27, 2006, the Examiner objected to claims 2, 3 and 12-14 but indicated that these claims would be allowable if re-written to overcome the objections under 35 U.S.C. §112 2d¶¶ and to include the limitations of the base claim and any intervening claims.

Applicants have re-written claim 2 in independent form as independent claim 25. Applicants have addressed the §112 second paragraph concerns of the Examiner in re-written independent claim 25. Claim 25 thus corresponds to claim 2 re-written in independent form to overcome the objections under 35 U.S.C. §112 2d¶¶ and to include the limitations of the base claim (i.e. claim 1) and any intervening claims (i.e. claim 4).

Claims 26-31 each depend from independent claim 25. The elements of claims 26-33 substantially correspond to the elements of claims 3, 6-9 and 12-14, which the Examiner indicated contains allowable subject matter. Thus, claims 26-33 are also in condition for allowance.

As discussed above, Applicants have re-written claim 2 in independent form to overcome the rejections under 35 U.S.C. 112 §112 2d¶¶ and to include the limitation of claims 1 and 4 with the exception that the numerical limitations of claim 1 have not been included in re-written claim 2. During a telephone interview which took place on or about April 7, 2006 between Examiner Wimer and Applicant's representative, the Examiner indicated that claim 2 would be favorably received even without the numerical limitation as long as all other limitations were included in re-written independent Claim 2.

For the above reasons, Applicants submit that independent Claim 2, from which Claims 3 and 12-13 now depend, is patentably distinct over the cited references. Therefore, Applicants submit that Claims 2, 3 and 12-14 are allowable in their present form.

In the Office Action dated March 27, 2006, the Examiner also indicated that claims 15-21 would be allowable if rewritten or amended to overcome the rejections under 35 U.S.C. 112 §112 2d¶. Applicants have amended claims 15 – 21 to address the §112 second paragraph concerns of the Examiner and thus these claims are also in condition for allowance.

In view of the above amendments and remarks, Applicants submit that Claims 2, 3, 6-9, 12-14 and 25-29 and the entire case are in condition for allowance and should be sent to issue and such action is respectfully requested.

The Examiner is respectfully invited to telephone the undersigning attorney if there are any questions regarding this Amendment or this application.

The Assistant Commissioner is hereby authorized to charge payment of any additional fees associated with this communication or credit any overpayment to Deposit Account No. 500845, including but not limited to, any charges for extensions of time under 37 C.F.R. §1.136.

Dated: 8/25/06

Respectfully submitted,

DALY, CROWLEY, MOFFORD & DURKEE, LLP

By: 

Christopher S. Daly

Reg. No. 37,303

Attorney for Applicant(s)

354A Turnpike Street - Suite

301A

Canton, MA 02021-2714

Tel.: (781) 401-9988, Ext. 11

Fax: (781) 401-9966

*csd@dc-m.com*

34813